

No. of 2026

VIRGIN ISLANDS
VIRGIN ISLANDS RECOVERY AND DEVELOPMENT AGENCY
(AMENDMENT) BILL, 2026

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. General amendment
3. Long title amended
4. Section 1 amended
5. Section 2 amended
6. Section 3 amended
7. Section 4 amended
8. Section 5 amended
9. Section 6 amended
10. Sections 7 and 8 repealed and substituted
11. Section 9 amended
12. Section 9A inserted
13. Section 10 amended
14. Section 11 amended
15. Sections 11A, 11B and 11C inserted
16. Sections 12A, 12B, 12C and 12D inserted
17. Section 13 amended
18. Section 15 amended
19. Section 16 amended
20. Section 19 amended
21. Section 20A inserted
22. Section 21 amended
23. Section 22 repealed
24. Section 25 amended
25. Section 26 amended
26. Sections 27, 28 and 29 inserted
27. Schedule amended
28. Schedules 2 and 3 inserted

No. of 2026

**Virgin Islands Recovery and Development
Agency (Amendment) Bill, 2026**

**Virgin
Islands**

I Assent

Governor.

VIRGIN ISLANDS

No. of 2026

A BILL FOR

AN ACT TO AMEND THE VIRGIN ISLANDS RECOVERY AND DEVELOPMENT AGENCY ACT, 2018, NO. 1 OF 2018, TO RENAME THE VIRGIN ISLANDS RECOVERY AND DEVELOPMENT AGENCY TO THE VIRGIN ISLANDS DEVELOPMENT AGENCY; TO PROVIDE THE VIRGIN ISLANDS DEVELOPMENT AGENCY WITH AN EXPANDED MANDATE FOR LONG-TERM SUSTAINABLE DEVELOPMENT, ECONOMIC DIVERSIFICATION, INFRASTRUCTURE PLANNING AND CLIMATE RESILIENCE AND TO PROVIDE FOR OTHER MATTERS CONNECTED THEREWITH.

[Gazetted , 2026]

ENACTED by the Legislature of the Virgin Islands as follows:

Short title and commencement

1. (1) This Act may be cited as the Virgin Islands Recovery and Development Agency (Amendment) Act, 2026.

(2) This Act shall come into force on such date as the Minister may, by Notice published in the *Gazette*, appoint.

General amendment

2. The Virgin Islands Recovery and Development Agency Act, 2018, No. 1 of 2018 (hereafter referred to as “the principal Act”), is amended by deleting the words “Chief Financial Officer” wherever they appear and substituting the words “Director of Finance”.

Long title amended

3. The principal Act is amended in the long title by deleting the words “Virgin Islands Recovery and Development Agency” and substituting the words “Virgin Islands Development Agency”.

Section 1 amended

4. The principal Act is amended in section 1(1) by deleting the words “Virgin Islands Recovery and Development Agency Act, 2018” and substituting the words “Virgin Islands Development Agency Act, 2026”.

Section 2 amended

5. The principal Act is amended in section 2

- (a) in the definition of the word “Board”, by deleting the words “Recovery and”;
- (b) in the definition of the word “Internet Site”, by deleting the word “www.bvirecovery.vg” and substituting the word “www.vida.vg”;
- (c) in the definition of the word “Plan”, by deleting the words “Virgin Islands Recovery and Development Plan” and substituting the words “Infrastructure Plan emanating from the National Sustainable Development Plan and”;
- (d) in the definition of the word “Trust”, by deleting the word “Recovery” and substituting the word “Development”; and
- (e) by inserting in the appropriate alphabetical order, the following new definition:

““Permanent Secretary” means the Permanent Secretary in the Ministry to which the subject for recovery and development is assigned;”.

Section 3 amended

6. The principal Act is amended in section 3

- (a) by repealing subsection (1) and substituting the following subsection:

“(1) The Minister with the approval of Cabinet shall, consistent with the purposes of this Act, be responsible for developing and further reviewing the Infrastructure Plan emanating from the National Sustainable Development Plan, which Infrastructure Plan is for the development of the Virgin Islands, inclusive of recovery and building resilience from natural disasters.”; and
- (b) by repealing subsection (6) and substituting the following subsection:

“(6) For the purposes of subsection (1), a review of the Plan shall include, **but not be limited to**

 - (a) the addition to the Plan of new projects;
 - (b) the removal of existing projects from the Plan;
 - (c) the modification of projects in the Plan; or
 - (d) assignment of projects to the Agency through an Appropriation Act.”.

Section 4 amended

7. The principal Act is amended in section 4

- (a) by repealing subsection (1) and substituting the following subsection:

“4. (1) There is hereby established a body to be known as the Virgin Islands Development Agency (referred to in this Act as the “Agency”), to support long-term national development priorities and to perform the functions conferred on it by or under this Act.”;

- (b) in subsection (2), by inserting the words “, with perpetual succession,” immediately after the word “corporate”; and

- (c) by inserting after subsection (3), the following new subsection:

“(4) For the avoidance of doubt, from the date of commencement of this Act, the Virgin Islands Recovery and Development Agency is hereby renamed the Virgin Islands Development Agency, and the provisions of section 28 shall apply accordingly.

Section 5 amended

8. The principal Act is amended in section 5

- (a) in subsection (1)

- (i) in paragraph (e), by deleting the words “statement of requirement and the business” and substituting the words “requirements in the approved project proposal”;

- (ii) in paragraph (k), by deleting the words “recovery, reconstruction and”;

- (iii) in paragraph (o), by deleting the word “recovery” and substituting the word “development”;

- (iv) in paragraph (q), by deleting the word “recovery” and substituting the word “development”;

- (v) in paragraph (u), by deleting the words “during recovery and development and beyond”;

- (vi) in paragraph (v), by deleting the word “Cabinet” and substituting the words “the Minister”;

- (vii) by deleting the fullstop at the end of paragraph (w) and substituting a semicolon; and

- (viii) by inserting after paragraph (w), the following new paragraph:

“(x) hand over completed projects to Government or State-owned Enterprises, as may be appropriate, for maintenance by the agency responsible for maintaining the relevant infrastructure.”; and

- (b) in subsection (5) by deleting the words “subsection (1)(h)” and substituting the words “subsection (1)(g)”.

Section 6 amended

For the purposes of subsection 1 a review of the plan should include, " but

9. The principal Act is amended in section 6

- (a) in subsection (1), by deleting the words "Recovery and";
- (b) in subsection (2),
 - (i) in paragraph (a), by deleting the word "regulations" and substituting the words "section 20A"; and
 - (ii) by repealing paragraph (b); and
- (c) by repealing subsection (3) and substituting the following subsections:

"(3) In carrying out its functions and duties under this Act, the Board shall

- (a) seek to ensure the proper implementation of the Plan;
- (b) take such steps as are necessary to achieve
 - (i) the efficient and effective oversight of the Agency;
 - (ii) accountability of all persons who manage the resources of the Agency; and
 - (iii) delivery of agreed policy objectives;
- (c) develop adequate information, evaluation, appropriate systems of control, risk management and reporting within the Agency;
- (d) develop financial and operational controls, and compliance with applicable laws and international standards;
- (e) advise the Minister on matters of general policy relating to the management of the Agency;
- (f) notwithstanding the provisions of any relevant enactment or any constituent document, enter into a performance contract with the senior managers.

(4) The Board shall ensure that the Agency undertakes its operations in accordance with the criteria for sound and prudent management, including

- (a) the business of the Agency is carried on with integrity, objectivity, due care and the professional skills appropriate to the nature and scale of its activities;
- (b) the Agency is directed and managed by a sufficient number of persons who are fit and proper persons to hold the positions which they hold; and
- (c) the Agency maintains adequate accounting and other records of its business.

(5) Accounting and other records shall not be regarded as adequate for the purposes of subsection (4)(c) unless they

- (a) enable the business of the Agency to be prudently managed;
- (b) enable the Board and the Agency to comply with the obligations imposed by this Act and other applicable legislation; and
- (c) comply with all professional standards and pronouncements of relevant professional bodies as applicable in the Territory.”.

Sections 7 and 8 repealed and substituted

10. The principal Act is amended by repealing sections 7 and 8 and substituting the following sections:

“Composition of the Board

7. (1) The Board shall be appointed by the Minister with the approval of the Cabinet and shall comprise not less than seven and not more than eight persons as follows:

- (a) a Chairperson, selected by the Premier who shall first consult the Leader of the Opposition;
- (b) a Deputy Chairperson, selected by the Premier in agreement with the Leader of the Opposition;
- (c) one person from the Sister Islands selected by the Premier;
- (d) one person who shall be between the ages of 18 and 35 years inclusive, selected by the Leader of the Opposition;
- (e) one person with knowledge and experience in the field of philanthropy;
- (f) one person representing civil society;
- (g) one person representing the private sector;
- (h) the Permanent Secretary.

(2) A person referred to in subsection (1)(a) shall be a person who belongs to the Virgin Islands within the meaning of section 2(2) of the Virgin Islands Constitution Order 2007.

(3) At least one person referred to in subsection (1) shall have knowledge and experience in civil engineering or project management.

(4) At least one person referred to in subsection (1) shall have knowledge and experience in accounting or finance management.

(5) The Board shall appoint a Secretary to the Board with such duties and on such terms as the Board may determine.

Disqualification for membership of the Board

8. (1) A person shall not be qualified to be appointed to the Board unless that person is a fit and proper person.

(2) A person is fit and proper for the purposes of subsection (1) if that person

- (a) is a person of integrity;
- (b) has a track record of high levels of performance in their relevant fields;
- (c) has demonstrated understanding of the objectives, roles, duties and obligations of membership;
- (d) has experience in, or knowledge of, general management or a relevant specialist field;
- (e) has an understanding of accountability relationships;
- (f) has relevant commercial and business experience; and
- (g) has the capacity to think and act strategically.

.(3) A person shall not be appointed as a member of the Board if that person

- (a) is
 - (i) the Speaker of the House of Assembly;
 - (ii) an elected member of the House of Assembly;
- (b) is an undischarged bankrupt;
- (c) has been convicted of an offence involving fraud or dishonesty;
- (d) at the date of proposed appointment, has, at any time within the period of 5 years immediately preceding the date of the proposed appointment, served any part of a sentence of imprisonment of at least 12 months imposed on him or her by a court in any country, or is under a sentence of imprisonment the execution of which has been suspended;
- (e) is certified with having a mental disorder as defined in the Mental Health Act, 2014, No. 11 of 2014, which interferes with his or her ability to function in the capacity required; or
- (f) has been disqualified from membership pursuant to section 11C(7).”.

Section 9 amended

11. The principal Act is amended in section 9

- (a) by repealing subsection (1) and substituting the following subsections:

“9. (1) A member of the Board,

- (a) including the Chairperson and Deputy Chairperson;
and
- (b) excluding the *ex officio* members,

shall be appointed for a term not exceeding three years and shall be eligible for re-appointment for one further term.

(1A) Notwithstanding subsection (1), where a member of the Board is a person that possesses a specialised skill set, that member may be appointed for more than two full consecutive terms, where no other person possessing that specialised skill set is available to be appointed.

(1B) The members' terms of appointment may be staggered so that the terms of appointment of the membership shall not expire at the same time.”;

- (b) by repealing subsection (3) and substituting the following subsection:

“(3) The Minister may, with the approval of Cabinet, revoke the appointment of a member other than an *ex-officio* member, if the Minister is satisfied that the member

- (a) is not acting in the best interest of the Board;
- (b) is incapable, for any reason, of discharging his or her functions as a member;
- (c) has, without the consent of the Chairperson, been absent from three consecutive meetings of the Board;
- (d) is or becomes ineligible or disqualified from being appointed as a member of the Board;
- (e) has a significant conflict of interest or has not complied with section 9A;
- (f) is party to or participates, directly or indirectly, in the profits of any contract with the Agency;
- (g) has breached the Code of Conduct set out in Schedule 3 of the Integrity in Public Life Act, 2021, No. 43 of 2021; or
- (h) is in breach of any condition imposed upon his or her appointment.”; and

- (c) by inserting after subsection (5), the following new subsection:

“(6) A member of the Board shall not hold an appointment on more than two Statutory Boards at the same time, unless that person possesses a specialised skill set that is in limited supply in the Territory and the applicable legislation requires a person with that specialised skill set to be a member of that Board.”.

Sections 9A inserted

12. The principal Act is amended by inserting after section 9 the following new section:

“Conflict of Interest

9A. (1) A member of the Board shall, pursuant to section 10, disclose any private or personal interests that may influence, or appear to influence, the exercise of that member’s official duties.

(2) Where a member is in doubt as to whether a conflict may exist, that member must raise it with the Chairperson immediately.

(3) A member shall

- (a) not engage in any transaction or action that is in conflict with or infringes on the execution of his or her duties or could be construed as such;
- (b) recuse himself or herself from any official action or decision-making process, which may result in personal gain, and this should be properly declared to the Chairperson, and where applicable, registered with the Permanent Secretary;
- (c) alert the Chairperson, to any actual or potential conflict of interest, financial or otherwise immediately on assuming duty or upon the change in circumstances; and
- (d) shall disclose his or her private interests that may conflict with his or her official duties.

(4) A member of the Board shall recuse himself or herself from the consideration of, or decisions in, matters involving the member’s family or persons with whom the member has business ties.”.

Section 10 amended

13. The principal Act is amended in section 10

- (a) in subsection (2), by deleting the word “quorAum” and substituting the word “quorum”; and
- (b) by inserting after subsection (4) the following new subsection:

“(4A) Where the Chairperson fails to comply with subsection (1), the Permanent Secretary shall inform the Minister who may recommend to the Cabinet the removal of the Chairperson from the Board or take such other action as he or she considers appropriate.”.

Section 11 amended

14. The principal Act is amended in section 11 by deleting the words “the Schedule” and substituting the words “Schedule 1”.

Sections 11A, 11B and 11C inserted

15. The principal Act is amended by inserting after section 11 the following new sections:

“Code of Conduct

11A. A member of the Board shall observe, abide and conduct himself or herself in accordance with the Code of Conduct set out in Schedule 3 of the Integrity in Public Life Act, 2021, No. 43 of 2021.

Oath or Affirmation of Confidentiality

11B. A person who is appointed to the Board shall take the Oath or Affirmation of Confidentiality set out in Schedule 2.

Declaration of interest

11C. (1) A member of the Board shall,

- (a) within three months of being appointed; and
- (b) on or by the anniversary of that appointment,

make a declaration in the form set out in Schedule 3.

(2) The declaration of interest shall

- (a) be made in respect of interests held on the date on which the duty to make the declaration arose; and
- (b) contain information of any pecuniary interest or other material benefit which a member, or where applicable that member’s spouse or child, holds on the date which might reasonably be thought by others to influence his or her actions, taken in his or her capacity as a member of the Board.

(3) A member of the Board shall submit the completed declaration to the Secretary to the Board.

(4) The Secretary to the Board shall keep all declarations received private, and access to a member’s declaration may only be granted, on a request in writing, to a law enforcement agency or professional disciplinary body.

(5) The Secretary to the Board shall inform the Permanent Secretary if a member of the Board fails to submit his or her declaration within the period specified in subsection (1).

(6) Where the Minister is satisfied that a member of the Board has failed to comply with subsection (1), without reasonable cause, the Minister shall recommend to the Cabinet the removal of the member from the Board.

(7) Where a person is removed from the Board pursuant to subsection (6), he or she shall thereafter be disqualified from membership of the Board.”.

Sections 12A, 12B, 12C and 12D inserted

16. The principal Act is amended by inserting after section 12 the following new sections:

“Protection of the Board and its members

12A. (1) No act done or proceedings taken under this Act shall be questioned on the ground of any omission, defect or irregularity not affecting the merits of the case.

(2) No suit or prosecution or other legal proceeding shall lie against any member of the Board, or of any committee thereof, for anything which is in good faith done or purported to be done under this Act.

(3) The Board may, where any action, suit or proceeding has been brought or threatened against a member of the Board in respect of any act done by that member in the performance or purported performance of his or her functions and

- (a) the circumstances are such that the member is not legally entitled to require the Board to indemnify him or her; and
- (b) the Board or the High Court is satisfied that the member acted in good faith and in the honest belief
 - (i) that his or her functions required or empowered the doing of the act; or
 - (ii) that he or she was acting in the exercise or execution of any authority conferred on him or her as a member,

indemnify the member against the whole or any part of any liability, damages, loss, claim or proceedings, costs or legal expenses which he or she may have been ordered to pay or may reasonably incur.

Liability of the Board

12B. (1) A member of the Board shall not be personally liable in respect of any act done in the performance or purported performance of his or her functions if he or she acted in good faith and in the honest belief

- (a) that his or her functions required or empowered the doing of the act; or
- (b) that he or she was acting in the exercise or execution of any authority conferred on him or her as a member or officer.

(2) Nothing in subsection (1) shall be construed as relieving the Board of any liability in respect of the acts of its members.

Minister’s Responsibility

12C. The Minister shall be responsible to ensure the proper oversight of the Board through the Minister’s exercise of the following powers:

- (a) with the approval of Cabinet, the appointment of persons to be members of the Board who meet the appropriate criteria in accordance with the provisions of this Act;
- (b) where applicable, setting the mandate for the Board;
- (c) reviewing and monitoring the performance of the Board;
- (d) with the approval of Cabinet, setting the levels of remuneration for members of the Board; and
- (e) from time to time, reviewing this Act and any legislation made thereunder.

Functions of the Minister

12D. (1) The Minister shall provide guidance, policy directives and oversight to the Board in the execution of its functions.

(2) Notwithstanding the generality of subsection (1), the Minister shall have oversight in matters related to the Board's

- (a) development of a Strategic Plan;
- (b) risk management and internal controls;
- (c) governance and compliance;
- (d) compensation and performance evaluation of executives; and
- (e) stakeholder engagement and corporate social responsibility.”.

Section 13 amended

17. The principal Act is amended in section 13

- (a) in subsection (2)(a) by deleting the words “in concurrence with Cabinet”;
- (b) in subsection (3), by deleting the words “The persons referred to in subsection (2)(b)” and substituting the words “Senior managers”; and
- (c) in subsection (5),
 - (i) in paragraph (c), by deleting the word “reconstruction” and substituting the word “development”;
 - (ii) in paragraph (i), by deleting the words “recovery and”; and
 - (iii) in paragraph (j), by deleting the word “recovery” and substituting the word “development”.

Section 15 amended

18. The principal Act is amended in section 15

- (a) by renumbering section 15 as section 15(1);

- (b) by deleting the words “Virgin Islands Recovery Trust” and substituting the words “Virgin Islands Development Trust”; and
- (c) by inserting after section 15(1), as renumbered, the following new subsection:

“(2) For the avoidance of doubt, from the date of commencement of this Act, the Virgin Islands Recovery Trust shall be renamed and continue as the Virgin Islands Development Trust, and the provisions of section 28 shall apply accordingly.

Section 16 amended

19. The principal Act is amended in section 16(3) by inserting the words “or of the Agency” immediately after the word “Government”.

Section 19 amended

20. The principal Act is amended in section 19 by inserting after subsection 6 the following new subsections:

“(6A) Where the Minister has reasonable cause to believe that a special audit of the Agency should be conducted by an auditor other than the Board’s auditor, the Minister may appoint an auditor or a firm of auditors for that purpose, and the Agency shall pay the fee therefor.

(6B) Where an auditor or a firm of auditors is appointed pursuant to subsection (6A), the Minister shall require that auditor or firm to carry out and report in writing to the Minister to determine whether the Agency’s procedures are adequate for securing economy, efficiency and effectiveness of the use of the Agency’s financial, human, physical and other resources.

(6C) The Minister shall lay a copy of any report received pursuant to subsection (6B) before the House of Assembly within three months after he or she has received such report.”.

Section 20A inserted

21. The principal Act is amended by inserting after section 20 the following new section:

“Procurement

20A. (1) Notwithstanding the provisions of section 3 of the Public Procurement Act, 2021, No. 39 of 2021, the Board shall, within three months of the commencement of this Act, prepare procurement rules in accordance with industry best practice to govern its procurement processes.

(2) The procurement rules prepared under subsection (1) shall, prior to enactment, be forwarded to the Financial Secretary for approval.”.

Section 21 amended

22. The principal Act is amended in section 21

(a) by inserting after subsection 2 the following new subsections:

“(2A) The Board shall conduct an annual performance self-evaluation of its performance against the criteria and objectives set for that year to assess its efficiency and governance practices, and the summary of the findings of that evaluation shall be annexed to and form part of the report referred to in subsection (1) to be forwarded to the Minister in accordance with subsection (3).

(2B) Where, pursuant to the requirement to conduct the annual performance self-evaluation under subsection (2A), the Board requires a member to complete an individual performance self-evaluation questionnaire, the member shall

(a) complete the individual performance self-evaluation questionnaire; and

(b) submit the individual performance self-evaluation questionnaire within the specified time,

and failure to comply with paragraphs (a) or (b) may result in the withholding of the remuneration of the member, pending the member’s compliance.”; and

(b) by repealing subsection (4).

Section 22 repealed

23. The principal Act is amended by repealing section 22.

Section 25 amended

24. The principal Act is amended in section 25 by deleting the words “the Schedule”

(a) in the marginal note; and

(b) wherever they appear,

and substituting the words “Schedule 1”.

Section 26 amended

25. The principal Act is amended in section 26

(a) by repealing subsection (2)(c); and

(b) in subsection (2)(d), by deleting the words “recovery and”.

Sections 27, 28 and 29 inserted

26. The principal Act is amended by inserting after section 26 the following new sections:

“Appeals

27. (1) A person who is aggrieved by a decision taken by the Agency pursuant to a provision of this Act or any regulations made thereunder, may appeal to the Board.

- (2) A person who is aggrieved by a decision taken by the Board
 - (a) pursuant to a provision of this Act or any regulations or rules made thereunder; and
 - (b) for which no process of appeal is provided pursuant to this Act or any regulations or rules made thereunder,may appeal to the High Court, whose decision shall be final.

Arbitration

28. (1) Subject to subsection (2), if a dispute arises between a person and the Board, in connection with any decision taken by the Board pursuant to a provision of this Act or any regulations or rules made thereunder, such dispute may be submitted to arbitration in accordance with the Arbitration Act, Revised Edition 2020.

(2) Where a dispute is referred to arbitration, the decision of the arbitrator or arbitrators, as the case may be, shall be binding on the parties except in respect of a matter of law, which matter may be appealed to the High Court, whose decision shall be final.

(3) For the avoidance of doubt, this section shall not apply to any dispute in respect of procurement as authorised under this Act.

Transitional Provisions

29. (1) Where in any document or in any enactment or instrument, statutory or other, passed or made before the date of commencement of this Act, reference is made to

- (a) the Virgin Islands Recovery and Development Agency, that reference shall be read as referring, as from the date of commencement of this Act, to the Virgin Islands Development Agency;
- (b) the Virgin Islands Recovery and Development Board, that reference shall be read as referring, as from the date of commencement of this Act, to the Virgin Islands Development Board;
- (c) the Virgin Islands Recovery and Development Plan, that reference shall be read as referring, as from the date of commencement of this Act, to the Plan as defined in section 2; or
- (d) the Virgin Islands Recovery Trust, that reference shall be read as referring, as from the date of commencement of this Act, to the Virgin Islands Development Trust,

to the extent that it is necessary to reflect the name change.

(2) Anything done by or in relation to, and any right or liability of the Virgin Islands Recovery and Development Agency or the Virgin Islands Recovery and Development Board, including any legal proceedings commenced or pending, immediately before the commencement date of this Act, shall, so far as is required for continuing its effect thereafter, be treated as if it had been done by or in

relation to, and had been a right or liability of the Virgin Islands Development Agency or the Virgin Islands Development Board, as the case may be.

(3) The Chief Executive Officer and all other staff appointed, immediately before the commencement date of this Act, under the Virgin Islands Recovery and Development Agency, shall continue to act as if appointed under the Virgin Islands Development Agency by the Virgin Islands Development Board, in accordance with the relevant terms and conditions existing immediately before the commencement of the Act, and all the rights, powers, duties and liabilities which accrued under or in connection with such appointments shall be enforceable by or against the Virgin Islands Development Agency.

(4) With effect from the commencement date of this Act, all lands, buildings and all other rights and forms of property, whether real or personal, and all interests therein, of whatsoever nature, vested in the Virgin Islands Recovery Trust, shall become vested in the Virgin Islands Development Trust.”.

Schedule amended

27. The principal Act is amended in the Schedule

- (a) by renaming the Schedule as “Schedule 1”;
- (b) by deleting the reference “[Section 12]” and substituting the reference “[Section 11]”; and
- (c) in paragraph 11
 - (i) by deleting the words “minutes of all proceedings of and”;
 - (ii) by deleting the words “fourteen days” and substituting the words “one calendar month”.

Schedules 2 and 3 inserted

28. The principal Act is amended by inserting after Schedule 1, as renamed, the following new Schedules:

“SCHEDULE 2

[Section 11B]

OATH OR AFFIRMATION OF CONFIDENTIALITY

I, (name), (office), solemnly swear / affirm* that in the performance of my duties and functions I shall keep confidential, all information which comes to my knowledge relating to the deliberations, proceedings and the records of the Board, and shall not disclose or communicate or use any such information, except as authorised by and in accordance with the law.

So help me God! (omit if affirming)

.....
(Signature of person swearing / affirming)

Sworn /Affirmed* before me this day of , 20

SCHEDULE 3

[Section 11C]

REGISTRATION FORM FOR DECLARATION OF INTERESTS

REGISTRATION OF FINANCIAL INTERESTS

The main purpose of the Declaration of Interests is to provide information of any pecuniary interest or other material benefit which a Member receives which might reasonably be thought by others to influence his or her actions, taken in his or her capacity as a Member of the Board.

For the details of the information which is required to be registered, please refer first to the explanatory notes in each section of the Form.

If there is not enough space in any section of this Form for the information required, additional sheets may be attached to it; but each such sheet should carry the Member's signature.

NAME (Block capitals, please):

STATUTORY BOARD:

1. DIRECTORSHIPS

Do you have any remunerated or unremunerated directorships in any company, which might reasonably be thought by others to influence your actions, taken in your capacity as a Member of the Board?

YES/NO (Please delete as appropriate)

If yes, please list the names of the companies, briefly stating the nature of the business of the company in each case.

Notes:(i) You should include directorships which are individually unremunerated but where remuneration is paid through another company in the same group.

(ii) In this category and category 2, "remunerated" should be read as including allowances or benefits.

2. REMUNERATED EMPLOYMENT, OFFICE, PROFESSION, ETC.

Do you have any employment, office, trade, profession or vocation (apart from member of the Board) for which you are remunerated or in

which you have any pecuniary interest, which might reasonably be thought by others to influence your actions, taken in your capacity as a Member of the Board?

YES/NO (Please delete as appropriate)

If yes, please set out the details. Actual amounts of remuneration need not be stated. When registering employment with a company or firm, please briefly indicate the nature of its business.

3. CLIENTS

Does any of the paid employment registered in categories 1 or 2 entail the provision to clients of services which depend essentially upon or arise out of your position as a Member of the Board, which might reasonably be thought by others to influence your actions, taken in your capacity as a Member of the Board. (see Note (i) below)?

YES/NO (Please delete as appropriate)

If yes, please list all clients to whom you personally provide such services. Please also state in each case the nature of the client's business.

Notes:(i) The services covered by this category include action connected with the Board.

(ii) Where you receive remuneration from a company or partnership engaged in consultancy business which itself has clients, you should list any of those clients to whom you personally provide such services or advice, directly or indirectly.

4. GIFTS, BENEFITS AND HOSPITALITY (VIRGIN ISLANDS)

Have you, or your spouse to your knowledge, received any gift of a value greater than \$500.00, from any company, organisation or person within the Virgin Islands which in any way relates to your membership of the Board, which might reasonably be thought by others to influence your actions, taken in your capacity as a Member of the Board?

YES/NO (Please delete as appropriate)

If yes, please give details.

Notes:(i) You should include any hospitality given and services or facilities offered free or at a price below that generally available to members of the public, except that where the advantage is known to be available to all Members of the Board, it need not be registered.

(ii) *You should include not only gifts and material advantages received personally by you and your spouse, but also those received by any company or organisation in which you (or you and your spouse jointly) have a controlling interest.*

5. OVERSEAS VISITS

Have you or your spouse made any overseas visits relating to or in any way arising out of your membership of the Board where the cost of the visit was not wholly borne by yourself or by public funds which might reasonably be thought by others to influence your actions, taken in your capacity as a Member of the Board?

YES/NO (Please delete as appropriate)

If yes, please list relevant visits in chronological order.

Countries visited	Dates of visit	Who paid?
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6. OVERSEAS BENEFITS AND GIFTS

Have you, or your spouse to your knowledge, received any gift of a value greater than \$500.00, from or on behalf of any foreign Government, organisation or person which in any way relates to your membership of the Board which might reasonably be thought by others to influence your actions, taken in your capacity as a Member of the Board?

YES/NO (Please delete as appropriate)

If yes, please give details.

Note: Overseas hospitality and travel facilities should be entered under category 6. Otherwise the notes under category 5 apply here also.

7. LAND

Do you have any land, other than any home used solely for the personal residential purposes of you or your family which might reasonably be thought by others to influence your actions, taken in your capacity as a Member of the Board?

YES/NO (Please delete as appropriate)

If yes, please indicate below the nature of the land (e.g. Estate, Farm, Smallholding, Woodland, Residential rented/leasehold land, Commercial rented/leasehold land) and give the registration section, block and parcel number, and the street and number (if appropriate) of the land in each case.

Nature of Land	Location
.....	Registration Section No.: Block No.: Parcel No.: Address:
.....	Registration Section No.: Block No.: Parcel No.: Address:
.....	Registration Section No.: Block No.: Parcel No.: Address:

8. SHAREHOLDINGS

Do you have (either yourself or with or on behalf of your spouse or dependent children) interests in shareholdings in any company or other body, which might reasonably be thought by others to influence your actions, taken in your capacity as a Member of the Board?

YES/NO (Please delete as appropriate)

If so, please list each company or body, indicating in each case the nature of its business.

9. MISCELLANEOUS

If, bearing in mind the definition of purpose set out in the introduction to this Form, you have any relevant interests, which might reasonably be thought by others to influence your actions, taken in your capacity as a Member of the Board, which you consider should be disclosed but which do not fall within the nine categories set out above, please list them:

I declare that the information contained in this declaration is a complete and accurate description of all the interests that I am liable to declare under the Virgin Islands Development Agency Act, 2026.

SIGNATURE:

DATE: ”.

Passed by the House of Assembly this day of , 2026.

Speaker.

Clerk of the House of Assembly.

OBJECTS AND REASONS

This Bill seeks to amend the Virgin Islands Recovery and Development Agency Act, 2018, No. 1 of 2018 (hereinafter referred to as “the Act”): to rename the Virgin Islands Recovery and Development Agency to the Virgin Islands Development Agency; to provide the renamed Agency with an expanded mandate for long-term sustainable development, economic diversification, infrastructure planning and climate resilience; and to provide for other matters connected therewith.

Clause 1 sets out the short title and commencement.

Clause 2 seeks to amend the Act generally to replace the words “Chief Financial Officer” with the words “Director of Finance” wherever they appear.

Clause 3 seeks to amend the long title of the Act to remove the reference to “Recovery” so that it more accurately reflects the purpose of the replacement Agency.

Clause 4 seeks to amend section 1 of the Act to remove the reference to “Recovery” from the name of the Act so that it more accurately reflects the focus of the Act.

Clause 5 seeks to amend section 2 of the Act to provide for updated definitions of the words “Board”, “Internet Site”, “Plan” and “Trust” and to include a definition of “Permanent Secretary”.

Clause 6 seeks to amend section 3 of the Act to clarify the role of Cabinet as it relates to the Plan and projects that Cabinet may approve for implementation by the Agency.

Clause 7 seeks to amend section 4 of the Act to reflect the correct name and nature of the Agency.

Clause 8 seeks to amend section 5 of the Act to provide update the functions of the Agency to be more in line with development and less about recovery.

Clause 9 seeks to amend section 6 of the Act to update the functions of the Board and provide that the Board shall in the exercise of its functions and duties be guided by principles of Good Governance.

Clause 10 seeks to repeal and substitute sections 7 and 8 of the Act to provide for the composition of the Board, with the introduction of *ex officio* members, and for what disqualifies a person from membership of the Board.

Clause 11 seeks to amend section 9 of the Act to provide for the clarification and enhancement of the terms relating to tenure of office.

Clause 12 seeks to insert a new section 9A into the Act to provide for the procedure to be taken when a conflict of interest arises regarding a member of the Board.

Clause 13 seeks to amend section 10 of the Act to cover the instance where the Chairperson fails to disclose certain information as required by the Act.

Clause 14 seeks amend section 11 of the Act to make the correct reference to the Schedule which will now become “Schedule 1”.

Clause 15 seeks to insert new sections 11A, 11B and 11C into the Act to create the obligation for members of the Board to observe, abide and conduct themselves in accordance with the Code of Conduct set out in Schedule 3 of the Integrity in Public Life Act; to take an Oath or Affirmation of Confidentiality in the form appearing in Schedule 2; and to complete a Declaration of Interest upon appointment and on the anniversary of that appointment for the duration of their tenure on the Board in the form appearing in Schedule 3.

Clause 16 seeks to insert new sections 12A, 12B, 12C and 12D into the Act to enhance the protection for the members of the Board as it allows for the indemnification of members by the Board; to provide that a member of the Board should not be held personally liable for any acts done in that capacity; and to set out the responsibility, powers and functions of the Minister in relation to the Board.

Clause 17 seeks to amend section 13 to remove the reference to “recovery” in keeping with the new mandate of the Agency, and to provide that the Director of Finance is to be appointed by the Board, and senior managers by the Board on the recommendation of the Chief Executive Officer.

Clause 18 seeks to amend section 15 of the Act to rename the Trust in line with the new mandate of the Agency.

Clause 19 seeks to amend section 16 of the Act to provide that the property of the Trust shall not be used to support the operational costs of the Agency.

Clause 20 seeks to amend section 19 of the Act to insert new subsections (6A), (6B) and (6C) to make provision for the Minister to conduct a special audit where he or she has reasonable cause to believe that one is required, and to provide that any resulting report receive by the Minister shall be submitted to the House of Assembly.

Clause 21 seeks to insert a new section 20A into the Act to make provisions for procurements rules to be made by the Board and approved by the Financial Secretary.

Clause 22 seeks to amend section 21 to create the requirement on the Board to carry out an annual performance self-evaluation, to allow the Board to require individual members to complete a performance self-evaluation questionnaire in order for the Board to carry out its obligation and to repeal subsection (4) since it is now spent.

Clause 23 seeks to repeal section 22 of the Act since it is no longer relevant.

Clause 24 seeks to amend section 25 of the Act to correct the references to the Schedule which will now become “Schedule 1”.

Clause 25 seeks to amend section 26 of the Act to exclude from the list of subjects which the Cabinet may make regulations in relation to, guidelines and procedures for procurement of services and goods under the Plan since this would be dealt with under rules made by the Board.

Clause 26 seeks to insert new sections 27, 28 and 29 into the Act to provide for an appeals mechanism from decisions made by the Agency or Board; for arbitration in relation to disputes with the Board; and for transitional provisions necessary to address matters resulting from the renaming of the Agency.

Clause 27 seeks to rename the Schedule of the Act to “Schedule 1” to accommodate the insertion of additional schedules, and to change the section reference in the Schedule from “Section 12” to “Section 11”.

Clause 28 seeks to introduce a second and third schedule into the Act which provide for the new forms introduced in the substantive provisions of the Bill.

Minister of Finance.